STATEMENT ACCORDING TO 37 C.F.R. § 1.821(f)

Submitted herewith is a sequence listing as part of the above-captioned patent application. Applicants' representative states that the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively, are the same.

Applicants' representative hereby verifies that the information on the accompanying diskette is identical to the written sequence listing. The enclosed sequence listing does not include any new matter that goes beyond the disclosure in the captioned application as filed.

REMARKS

Claims 1-23 are now pending.

This is an application filed under 35 USC §371. The above amendments were necessary to conform the claims to proper U.S. format. Applicants note that the claims were found novel by the International Preliminary Examining Authority in the concurrently submitted International Preliminary Examination Report dated August 3, 2001. This application is now ready for examination on the merits.

Respectfully submitted,

Date: October 22, 2001

K. Shannon Mrksich, Ph.D.
Reg. No. 36,675
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312) 321-4200

PENDING CLAIMS

1. A peptide having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3.

2. (Amended) The p [P]eptide according to claim 1, wherein the amino acids of said peptide are D-amino acids or L-amino acids.

3. (Amended) The p [P]eptide according to claim 1, wherein the amino acid at the N-terminus of the peptide is acetylated.

4. (Amended) The p [P]eptide according to claim 1, wherein the amino acid at the C-terminus of the peptide is amidated.

5. (Amended) The p [P]eptide according to claim 1, wherein the peptide further [contains] comprises a reversible modification that increases its bioavailability and facilitates its permeation through the blood brain barrier and epithelial tissue.

6. (Amended) An isolated nucleic acid sequence [which codifies] encoding a peptide [according to anyone of claims 1 to 5] having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3.

7. (Amended) The n [N]ucleic acid sequence according to claim 6, wherein said nucleic, acid is selected from the group consisting of bicatenary DNA, monocatenary DNA and RNA.

8. A plasmid which comprises a nucleic acid sequence according to claim 6.

9. An expression vector which comprises a nucleic acid sequence according to claim 6.

10. (Amended) A cell which expresses a peptide [according to anyone of claims 1 to 5] having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3.

11. (Amended) A mixture of peptides comprising:

a) at least a peptide [according to anyone of claims 1 to 5] having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3; and

b) at least a peptide having an amino acid sequence consisting of 3 to 30 contiguous amino acids [contained in] of SEQ. ID. NO. 4.

12. (Amended) A mixture according to claim 11, comprising:

a) at least a peptide [according to anyone of claims 1 to 5] having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3; and

b) at least a peptide having an amino acid sequence selected from the group consisting of amino acid sequence of SEQ. ED. NO. 5 [or] and the amino acid sequence of SEQ. ID. NO. 6.

13. (Amended) A cosmetic composition comprising a cosmetically effective amount of [at least] a peptide [according to anyone of claims 1 to 5, together with at least] having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3 and a cosmetically acceptable adjuvant.

14. (Amended) The c [C]osmetic composition according to claim 13, which further comprises, [optionally,] one or more peptides having an amino acid sequence consisting of 3 to 30 contiguous amino acids [contained in] of SEQ. ID. NO. 4.

15. (Amended) A method of treating [Use of a peptide according to anyone of claims 1 to 5, in the manufacture of a cosmetic composition for the treatment of] face wrinkels and/or facial asymmetry comprising

applying a cosmetic composition comprising a cosmetically effective amount of a peptide having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3 and a cosmetically acceptable adjuvant.

16. (Amended) A pharmaceutical composition comprising

a therapeutically effective amount of[, at least,] a peptide [according to anyone of claims 1 to 5, together with, at least,] having an amino acid sequence selected from the group consisting of amino acid sequence of SEQ. ID. NO. 2 and the amino acid sequence of SEQ. ID. NO. 3 and

a pharmaceutically acceptable excipient.

17. (Amended) The p[P]harmaceutical composition according to claim 16, which farther comprises, [optionally,] one or more peptides having an amino acid sequence consisting of 3 to 30 contiguous amino acids [contained in] of SEQ. ID. NO. 4.

18. The p [P]harmaceutical composition according to claim 16, which further comprises, [optionally,] a drug selected from the group consisting of a neuronal glutamate receptor blocker, a calcium chelating agent, an antioxidant, a free radical scavenger [scavanger] and mixtures thereof [and, optionally, one or more additional neuronal exocytosis inhibitors].

19. (Amended) The p [P]harmaceutical composition according to claim 18, which further comprises[, optionally,] one or more peptides having an amino acid sequence consisting of 3 to 30 contiguous amino acids [contained in] of SEQ. ID. NO. 4.

20. (Amended) A pharmaceutical composition comprising

a therapeutically effective amount of a vector comprising [containing, at least,] a nucleic acid sequence [according to claim 6, coding for a peptide according to anyone of claims 1 to 5, together with, at least,] encoding a peptide having an amino acid sequence

selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3 and

an adjuvant [and/or] or a pharmaceutically acceptable excipient, or a mixture thereof.

21. (Amended) [Use of a peptide according to anyone of claims 1 to 5, in the manufacture of a pharmaceutical composition for the treatment of] A method of treating a disease[s] and/or disorder[s] mediated by pathological neuronal exocytosis comprising

administering a pharmaceutical composition comprising a therapeutically effective amount of a peptide having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3 and a pharmaceutically acceptable excipient or an adjuvant or a mixture thereof.

22. (Amended) [Use of a vector containing, at least, a nucleic acid sequence according to claim 6, .coding for a peptide according to anyone of claims 1 to 5, in the manufacture of a pharmaceutical composition for the treatment of] A method of treating a disease[s]and/or disorder[s] mediated by pathological neuronal exocytosis, comprising

administering a pharmaceutical composition comprising a therapeutically effective amount of a vector comprising a nucleic acid sequence encoding a peptide having an amino acid sequence selected from the amino acid sequence of SEQ. ID. NO. 2 or the amino acid sequence of SEQ. ID. NO. 3, and an adjuvant or a pharmaceutically acceptable excipient, or a mixture thereof.

23. (New) The pharmaceutical composition according to claim 18, further comprising one or more neuronal exocytosis inhibitors.